

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ENTROPIC COMMUNICATIONS, LLC,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

Case No. 2:22-cv-00125-JRG

JURY TRIAL DEMANDED

**DECLARATION OF JAMES A. SHIMOTA IN SUPPORT OF ENTROPIC'S MOTION
TO EXCLUDE PORTIONS OF THE EXPERT REPORTS OF DR. KEVIN ALMERO TH**

I, James A. Shimota, declare:

1. I am a Partner with the law firm of K&L Gates LLP, and I am counsel of record for Plaintiff Entropic Communications, LLC (“Entropic”) in the above-captioned matter. I am submitting this declaration in support of Entropic’s Motion to Exclude Portions of the Expert Reports of Dr. Kevin Almeroth. I have personal knowledge of the matters stated herein and, if called to testify to such matters, I could and would testify hereto.

2. Attached as Exhibit A is a true and correct copy of the Expert Report of Dr. Kevin Almeroth Regarding Licensing and Non-Infringing Alternatives, served July 21, 2023.

3. Attached as Exhibit B is a true and correct copy of the Rebuttal Expert Report of Dr. Kevin C. Almeroth Regarding Non-Infringement, served August 11, 2023.

4. Attached as Exhibit C is a true and correct copy of the Supplemental Rebuttal Expert Report of Dr. Kevin Almeroth Regarding Non-Infringement, served September 7, 2023.

5. Attached as Exhibit D are true and correct excerpts from the transcript of the deposition of Dr. Kevin Almeroth, dated August 23, 2023.

6. Attached as Exhibit E is a true and correct copy of Charter’s Rebuttal Expert Report Regarding Damages by W. Christopher Bakewell, dated August 11, 2023.

7. Attached as Exhibit F are true and correct excerpts from the transcript of the deposition of Dr. Curtis Ling, dated July 12, 2023.

8. Attached as Exhibit G is a true and correct copy of document CHARTER_ENTROPIC00481022, produced by Charter.

9. Attached as Exhibit H is a true and correct copy of document CHARTER_ENTROPIC00481023, produced by Charter.

10. Attached as Exhibit I is a true and correct copy of Defendant's Sixth Supplemental Objections and Responses to Plaintiff's Second Set of Interrogatories (No. 7), served September 7, 2023.

11. Attached as Exhibit J are true and correct excerpts from the transcript of the deposition of Daniel Boglioli, dated August 11, 2023.

I certify under penalty of perjury under the laws of the United States that the foregoing statements are true and correct. Signed this 11th day of September, 2023.

/s/ James A. Shimota
James A. Shimota